

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.  
★ JAN 27 2006 ★  
BROOKLYN OFFICE

\_\_\_\_\_  
MICHAEL BARROTT,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS;  
POLICE DEPARTMENT; SANITATION  
DEPARTMENT; DEPARTMENT OF  
FINANCE; DEPARTMENT OF SOCIAL  
SERVICES; HUMAN RESOURCES  
ADMINISTRATION; U.S. GOVERNMENT  
AGENCY; NYC HEALTH AND HOSPITALS  
CORPORATION,

Defendants.  
\_\_\_\_\_

MEMORANDUM  
AND ORDER  
04-CV-3114 (NG)

\_\_\_\_\_  
GERSHON, United States District Judge:

On July 19, 2004, *pro se* plaintiff filed a claim pursuant 42 U.S.C. § 1983. Since plaintiff's complaint failed to allege a basis for this Court's jurisdiction under 42 U.S.C. § 1983, failed to comply with the dictates of Fed. R. Civ. P. 8, and sought, as a non-attorney parent, to bring a claim on behalf of his children, on August 30, 2004, the Court granted plaintiff thirty days leave to submit an amended complaint. On October 1, 2004, plaintiff submitted an amended complaint. On October 27, 2004, the amended complaint was dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B). Plaintiff's first appeal was dismissed by mandate issued on May 19, 2005. Plaintiff's second notice of appeal was filed on August 15, 2005 and is pending before the United States Court of Appeals for the Second Circuit.

On November 9, 2005, the Court received a letter from plaintiff which it liberally

construes to be a motion for reconsideration pursuant to Fed. R. Civ. Pro. 60 (b). The submission is a vague, rambling and incoherent collection of handwritten documents listing without connection or explanation *inter alia* medical bills, prescriptions, remarriage, banks, community and school programs. As plaintiff has not alleged any facts sufficient to warrant relief from the Court's order under Fed. R. Civ. P. 60(b), the motion to reconsider the Court's Order dismissing the complaint is DENIED. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/s/(NG)

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NINA GERSHON,  
United States District Judge

Dated: Brooklyn, New York

*Jan. 18, 2006*